

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PROTÉGÉ BIOMEDICAL, LLC

Civil No. 0:18-cv-03227-JRT-HB

Plaintiff,

v.

**FINAL CONSENT JUDGMENT AND
PERMANENT INJUNCTION**

Z-MEDICA, LLC,

Defendant.

Plaintiff Protégé Biomedical, LLC (“Protégé”) and Z-Medica, LLC (“Z-Medica”) (collectively, the “Parties”) hereby stipulate and jointly move for entry of final judgment as follows:

1. This Court has subject matter jurisdiction over this action as well as personal jurisdiction over the Parties.
2. Z-Medica owns U.S. Patent No. 10,086,106 (“the ’106 Patent”).
3. The ’106 Patent is valid and enforceable.
4. Protege has infringed the ’106 patent by making, using, selling, offering for sale, and/or importing into the United States the Protégé Ionic Hemostatic Mineral Technology Bandage product in all forms, including but not limited to adhesive bandages, gauze, and vet gauze (“IHM Bandage”).
5. Protege, together with its officers, directors, agents, servants, employees, representatives, successors, and affiliates, and all other persons acting or attempting to act in concert or participation with them, are permanently enjoined and restrained from

making, using, selling, offering to sell, or importing into the United States, the IHM Bandage and any product that is no more than colorably different than the IHM Bandage during the term of the '106 Patent.

6. Protégé's claims for declaratory judgment of non-infringement of U.S. Patent Nos. 8,257,732, 8,383,148, 8,784,876, 9,078,782, and 9,821,084 are dismissed without prejudice.

7. All other claims, counterclaims, and defenses in the action are dismissed with prejudice.

8. The Parties affirmatively waive any and all rights to appeal this Final Consent Judgment and Permanent Injunction.

9. This Court retains jurisdiction over the Parties to enforce compliance with this Final Consent Judgment and Permanent Injunction.

10. Each party will bear its own costs and attorneys' fees for this action.

Dated: August 3, 2020

LOCKRIDGE GRINDAL NAUEN P.L.L.P.

s/Charles N. Nauen

Charles N. Nauen (#121216)
Rachel A. Kitze Collins (#0396555)
100 Washington Avenue South, Suite 2200
Minneapolis, MN 55401-2159
(612) 339-6900
cnnauen@locklaw.com
rakitzecollins@locklaw.com

Philip J. O'Beirne (*pro hac vice*)
Michael A. Petrino (*pro hac vice*)
STEIN MITCHELL BEATO & MISSNER LLP
901 15th Street NW, Suite 700
Washington D.C. 20005
(202) 737-7777
pobeirne@steinmitchell.com
mpetrino@steinmitchell.com

Ali S. Razai (*pro hac vice*)
Joseph F. Jennings (*pro hac vice*)
Jeremiah S. Helm, Ph.D. (*pro hac vice*)
Karen M. Cassidy (*pro hac vice*)
KNOBBE MARTENS OLSON & BEAR LLP
2040 Main Street, 14th Floor
Irvine, CA 92614
(949) 760-0404
Ali.razai@knobbe.com
Joe.jennings@knobbe.com
Jeremiah.helm@knobbe.com
Karen.cassidy@knobbe.com

**ATTORNEYS FOR DEFENDANT
Z MEDICA, LLC**

Dated: August 3, 2020

TAFT STETTINIUS & HOLLISTER LLP

s/Kristine M. Boylan

Kristine M. Boylan (#0284634)
Elizabeth M. Brama (#0301747)
Lauren E. Lonergan (#143443)
Jack Y. Perry (#209272)
Matthew R. Brodin (#0386580)
Andrew S. Dosdall (#391076)
O. Joseph Balthazor Jr. (#0399093)
2200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
(612) 977-8400
kboylan@taftlaw.com
ebrama@taftlaw.com
llonergan@taftlaw.com
jperry@taftlaw.com
mbrodin@taftlaw.com
adosdall@taftlaw.com
jbalthazor@taftlaw.com

**ATTORNEYS FOR PLAINTIFF PROTÉGÉ
BIOMEDICAL, LLC**

IT IS SO ORDERED AND DECREED, AND FINAL JUDGMENT IS HEREBY ENTERED

Dated: August 13, 2020
at Minneapolis, Minnesota

s/John R. Tunheim

JOHN R. TUNHEIM
Chief Judge
United States District Court